

Message Text

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ACTION IO-10

INFO OCT-01 ARA-10 ISO-00 AF-06 EA-09 EUR-12 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

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TO SECSTATE WASHDC IMMEDIATE 4321

INFO AMEMBASSY SANTIAGO

UNCLAS USUN 6229

E.O. 11652: N/A

TAGS: UNGA, SHUM

SUBJECT: THIRD COMMITTEE--ITEM 73, ALTERNATIVE APPROACHES AND
WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR
IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

1. TWO RESES ON THIS SUBJECT HAVE BEEN CIRCULATED
NOV 24 A.M. THE FIRST OF THESE RESES, SUBMITTED BY
CHILE, CALLS FOR A WORKING GROUP TO BE ESTABLISHED
TO DRAFT GUIDELINES FOR INVESTIGATIONS OF HUMAN
RIGHTS VIOLATIONS. THE SECOND RES, SUBMITTED BY
THE UK, DEALS WITH THE SUBJECT BRIEFLY AND PROCE-
DURALLY.

2. THESE RESES WILL BE INTRODUCED TODAY AND IMME-
DIATELY BE BEFORE THE COMITE. WHILE A VOTE IS NOT
LIKELY BEFORE NOV 25, INSTRUCTIONS ARE REQUESTED AS
SOON AS POSSIBLE. USUN RECOMMENDS SUPPORT FOR THESE RESOLUTIONS.QUOTE

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS
SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
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UNITED KINGDOM: DRAFT RESOLUTION

THE GENERAL ASSEMBLY

RECALLING ITS RESOLUTION 3136 (XXVIII) AND 3221 (XXIX);

1. EXPRESSES ITS APPRECIATION TO THE SECRETARY-GENERAL FOR HIS REPORT "ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS"

2. URGES ALL MEMBERS STATES AND IN PARTICULAR THOSE THAT HAVE NOT ALREADY DONE SO, TO SUBMIT THEIR VIEWS TO THE SECRETARY-GENERAL IN ACCORDANCE WITH PARAGRAPH 1 OF RESOLUTION 3221 (XXIX);

3. REQUESTS THE SECRETARY-GENERAL IN THE LIGHT OF FURTHER REPLIES FROM MEMBER STATES AND NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL TO SUBMIT AN UP-DATED VERSION OF HIS REPORT TO THE THIRTY-FIRST SESSION OF THE GENERAL ASSEMBLY;

4. DECIDES TO CONSIDER WITH HIGH PRIORITY AT ITS THIRTY-FIRST SESSION THE QUESTION OF ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

CHILE: DRAFT RESOLUTION

THE GENERAL ASSEMBLY,

RECALLING THAT ARTICLES 55 AND 56 OF THE CHARTER OF THE UNITED NATIONS PROVIDE THAT THE ORGANIZATION SHALL PROMOTE UNIVERSAL RESPECT FOR HUMAN RIGHTS AND THAT ALL MEMBER STATES PLEDGE THEMSELVES TO TAKE JOINT AND SEPARATE ACTION TO THAT END,

BEARING IN MIND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, THE INTERNATIONAL COVENANTS ON CIVIL AND POLITICAL RIGHTS AND ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, THE COVENTION OF THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, THE DECLARATION OF THE INTERNATIONAL CONFERENCE ON HUMAN RIGHTS HELD AT TEHERAN IN
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1968, AND OTHER INSTRUMENTS OF A UNIVERSAL OR REGIONAL NATURE WHICH GIVE EXPRESSION TO HUMAN RIGHTS AND ESTABLISH MACHINERY FOR THEIR PROTECTION,

NOTING THE DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS AND CO-OPERATION AMONG STATES IN ACCORD-

ANCE WITH THE CHARTER OF THE UNITED NATIONS (RESOLUTION 2625 (XXV)),

PARTICULARLY AS REGARDS THE DUTY OF STATES TO CO-OPERATE IN THE PROMOTION OF UNIVERSAL RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS FOR ALL,

NOTING FURTHER, INTER ALIA, GENERAL ASSEMBLY RESOLUTION 2144 (XXI), 3136 (XXVIII) AND 3221 (XXIX), ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1164 (XLI) AND RESOLUTION 2 (XXII) OF THE COMMISSION ON HUMAN RIGHTS, WHICH CALL FOR STRENGTHENING THE UNITED NATIONS SYSTEM IN ORDER TO ENSURE THE UNIVERSAL EXERCISE OF HUMAN RIGHTS, WITHOUT DISTINCTION OF ANY KIND, AND FOR DETERMINING THE WAYS AND MEANS OF STRENGTHENING IT,

CONSIDERING THAT RESOLUTION 3221 (XXIX) PROVIDED FOR SOLICITING THE VIEWS OF MEMBER STATES, THE SPECIALIZED AGENCIES AND REGIONAL INTERGOVERNMENTAL ORGANIZATIONS ON ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,

HAVING CONSIDERED THE REPORT OF THE SECRETARY-GENERAL (A/10235), WHICH CONTAIN THE VIEWS OF MEMBER STATES AND OF THE ABOVE-MENTIONED AGENCIES AND ORGANIZATIONS CONCERNING ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,

AGAIN EXPRESSING THE HOPE THAT THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS WILL ENTER INTO FORCE IN THE NEAR FUTURE AND WILL RECEIVE UNIVERSAL APPLICATION, WITHOUT EXCEPTIONS OR DISCRIMINATION,

BEARING IN MIND RESOLUTION 1159 (XLI) OF THE ECONOMIC AND SOCIAL COUNCIL, THE REPORT OF THE AD HOC STUDY GROUP ON REGIONAL COMMISSION ON HUMAN RIGHTS (E/CN.4/966 AND ADD.1) AND OTHER AGREEMENTS AND DOCUMENTS RELATING TO THE ACTIVITIES AND FUNCTIONS OF SUCH REGIONAL COMMISSIONS,
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NOTING THAT THE ONLY PRE-ESTABLISHED SYSTEM FOR THE INVESTIGATION OF INDIVIDUAL ALLEGATIONS CONCERNING VIOLATIONS OF HUMAN RIGHTS (COUNCIL RESOLUTION 1503 (XLVIII)) HAS COMPLETELY FAILED TO ACHIEVE THE OBJECTIVES FOR WHICH ITS WAS ESTABLISHED,

CONSIDERING THE ESSENTIAL NEED TO CREATE A GENERAL SYSTEM OF UNIVERSAL APPLICATION WHICH WILL EFFECTIVELY PERMIT THE INVESTIGATION OF ALL ALLEGATIONS OF VIOLATIONS OF HUMAN RIGHTS, WHEREEVER THEY OCCUR,

1. INSTRUCTS THE SECRETARY-GENERAL OF THE UNITED NATIONS TO APPOINT A GROUP OF 10 EXPERTS OF RECOGNIZED INTEGRITY AND PROVEN KNOWLEDGE IN THE FIELD OF HUMAN RIGHTS, IN WHICH THE DIFFERENT GEOGRAPHICAL AREAS ARE REPRESENTED AND THE DIFFERENT LEGAL SYSTEMS

TAKEN INTO ACCOUNT, FOR THE PURPOSE OF PREPARING A STUDY ON THE ESTABLISHMENT OF A SYSTEM FOR INVESTIGATING ALLEGATIONS OF VIOLATIONS OF HUMAN RIGHTS;

2. DECIDES THAT SUCH A SYSTEM SHOULD ALLOW FOR APPROPRIATE PARTICIPATION BY REGIONAL ORGANIZATIONS, SHOULD BE UNIVERSAL IN SCOPE AND AUTOMATIC AND COMPULSORY FOR ALL MEMBER STATES, SHOULD AVOID DUPLICATION, SHOULD ENSURE ADEQUATE MACHINERY FOR CO-OPERATION BETWEEN THE ORGANIZATION AND THE STATES INVESTIGATED AND SHOULD CONFER UPON SUCH STATES APPROPRIATE GUARANTEES REGARDING DIRECTIONS AND FAIRNESS;

3. REQUESTS THE GROUP OF EXPERTS TO SUBMIT ITS REPORT TO THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTY-FIRST SESSION FOR SUBSEQUENT CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS THIRTY-FIRST SESSION, TAKING INTO ACCOUNT THE BACKGROUND INFORMATION OBTAINED DURING THE STUDY OF THIS QUESTION BY THE UNITED NATIONS AND THE OPINIONS EXPRESSED RECENTLY BY MEMBER STATES IN THIS RESPECT;

4. DECIDES TO INCLUDE IN THE PROVISIONAL AGENDA OF THE THIRTY-FIRST SESSION THE ITEM "ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS". UNQUOTE
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